

### **REMARKS/ARGUMENTS**

The Examiner is thanked for the Office Action mailed March 2, 2010. The status of the application is as follows:

- Claims 1-20 are pending, claims 1, 3, 5, 6, 8 and 9 have been amended, and claims 10-20 have been added;
- Claim 9 is rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter; and
- Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph;

The rejections are discussed below.

#### **Claim Informalities**

Claims 3, 5 and 8 have been amended for informalities and the amendments do not address issues of patentability.

#### **The Rejection under 35 U.S.C. 101**

Claim 9 stands rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claim 9 has been amended to overcome the rejection, rendering the foregoing rejection moot.

#### **The Rejection of Claims 1-9 under 35 U.S.C. 112, Second Paragraph**

Claims 1-9 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent **claims 1, 6, and 9** have been amended to overcome the rejection, rendering the rejection thereof moot. **Claims 2-5 and 7-8** respectively depend from claims 1 and 6 and are allowable at least by virtue of their dependencies.

#### **New Claims 10-20**

Newly added claims 10-20 emphasize various aspects. No new matter has been added. The aspects in these claims are absent from the prior art. Entry and allowance of claims 10-20 is respectfully requested.

**Conclusion**

In view of the foregoing, it is submitted that the claims distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,

*Michael J. Corrigan*

Michael J. Corrigan, Reg. No. 42,440  
Driggs, Hogg, Daugherty & Del Zoppo Co., L.P.A.  
38500 Chardon Road  
Willoughby Hills, Ohio 44094  
Phone: 1.440.391.5100  
Fax: 1.440.391.5101

Direct all correspondence to:  
Philips Intellectual Property & Standards  
Customer Number: 38107